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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/337,181	06/21/1999	YUHICHI NAKAMURA	JA998-075	8654

7590 07/24/2002
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EXAMINER

DINH, KHANH Q

ART UNIT	PAPER NUMBER
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2155

DATE MAILED: 07/24/2002

10

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
09/337,181

Applicant(s)
Nakamura et al

Examiner
Khanh Dinh

Art Unit
2155



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE THREE MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on May 13, 2002
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 6) ☐ Other:

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DETAILED ACTION

1. This is in response to the Amendment filed on 5/13/2002. Claims 1-20 are presented for examination.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over West et al. US pat. No.6,081,508.

As to claim 1, West discloses the steps of:

receiving a packet comprising a message and preferential destination information designated by a user (100 fig.1), to which agents (i.e., 110 fig.1) a message is to be sent, by referring to said preferential destination information and sending said message to the agents determined as destinations (see figs.1, 3 and 18, abstract, col.1, col.4 line 56 to col.5 line 56, col.7 line 13 to col.8 line 60 and col.25 line 3 to col.26 line 65).

West did not teach additional user or pluralities or plurality of users. However, it would have been obvious to one of ordinary skill in the art at the time of the invention to have

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combined additional users and put them into the system of West because doing so would provide more utilizations of the computer network. As shown in “St. Regis paper Co. v Bemis Co. 193 USPQ 8 (7th Cir. 1977)”, to duplicate parts for multiple effects is generally not given patentable weight or would have been obvious improvements.

As to claims 2, 3, West discloses using priority messaging policy data defining priorities of agents to which said message can be sent with different types (i.e., using a distributed security policy based on levels of rings, levels or trust to delivery multicast messages, see fig.18, abstract, col.24 line 48 to col.26 line 37 and col.27 line 25 to col.28 line 65).

As to claim 4, West further discloses messaging policy data defines the number of agents which receive the message for each type of message (i.e., defining access points, see col.5 line 17 to col.6 line 58 and col.7 line 13 to col.8 line 56).

As to claim 5, West discloses using priorities of agents defined in said messaging policy data and pairs of agent names and priorities included in said preferential destination information to determine destination agents from an agent having highest priority (i.e., distributing security based on levels, rings or trust, see fig.6, col.10 line 55 to col.11 line 65, col.17 lines 10-53 and col.25 line 3 to col.26 line 65).

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As to claim 6, West discloses sending information concerning agents which are not determined as destination agents and said message to a representative agent which represents agents to which said message can be sent (see col.17 line 10 to col.19 line 21 and col.20 line 6 to col.21 line 55).

As to claim 7, West discloses sending information concerning agents which are not determined as destination agents and said message to a representative agent which represents agents to which said message can be sent (see col.17 line 10 to col.19 line 21 and col.20 line 6 to col.21 line 55).

As to claim 8, West discloses a representative agent generating a response message for a source agent of a message, by referring to information from preregistered agents to which said message can be sent (see figs.6 and 18, col.10 line 55 to col.11 line 65, col.17 lines 10-53 and col.25 line 3 to col.26 line 65).

As to claim 9, West discloses a representative agent generates a response message for a source agent of a message, by referring to information from preregistered agents to which said message can be sent (see figs.6 and 18, col.10 line 55 to col.11 line 65, col.17 lines 10-53 and col.25 line 3 to col.26 line 65).

Claim 10 is rejected for the same reasons set forth in claim 1. As to the added limitation, West further discloses an execution environment for agents (see col.25 line 3 to col. 26 line 65).

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Claims 11-14 are rejected for the same reasons set forth in claims 2, 5, 6 and 7 respectively.

Claims 15-18 are rejected for the same reasons set forth in claims 1, 2, 6 and 7 respectively.

As to claims 19 and 20, West discloses a method for multicasting a message to agents, comprising:

receiving a message, determining to which agents said message is to be sent, by referring to a messaging policy data defining priorities of agents to which said message can be sent and sending said message to the agents determined as destinations (see figs.1, 3 and 18, abstract, col.1, col.4 line 56 to col.5 line 56, col.7 line 13 to col.8 line 60 and col.25 line 3 to col.26 line 65).

West did not teach additional user or pluralities or plurality of users. However, it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined additional users and put them into the system of West because doing so would provide more utilizations of the computer network. As shown in “St. Regis paper Co. v Bemis Co. 193 USPQ 8 (7th Cir. 1977)”, to duplicate parts for multiple effects is generally not given patentable weight or would have been obvious improvements.

Response to Arguments

3. Applicant's arguments with respect to claims 1-21 have been considered but are moot in view of the new ground(s) of rejection.

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Conclusion

4. Claims 1-20 are *rejected*.

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh Dinh whose telephone number is (703) 308-8528. The examiner can normally be reached on Monday through Friday from 8:00 A.m. to 5:00 P.m.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R. Sheikh, can be reached on (703) 305-9648. The fax phone numbers for this group are:

After Final: (703) 746-7239


Official: (703) 746-7239

Non-Official/ Draft: (703) 746-7240

A shortened statutory period for reply is set to expire THREE months from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned (35 U.S.C. Sect.133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(A).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305 -9600.

Khanh Dinh
Patent Examiner
Art Unit 2155
7/20/2002


AYAZ SHEIKH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100